

**MEMORANDUM ENDORSED**

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September 28, 2023

**Via ECF and E-Mail**

Honorable Gregory H. Woods  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>9/29/2023</u>
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Re: *United States v. Eric Eusebio*  
22 Cr. 522 (GHW)

Dear Judge Woods:

As Your Honor is aware, I am counsel to Mr. Eric Eusebio in the above-referenced matter, appointed pursuant to the provisions of the Criminal Justice Act (“CJA”), 18 U.S.C. §3006A. This correspondence is to respectfully request the modification of Mr. Eusebio’s bail conditions.

Mr. Eusebio has been at liberty on the following bail package: (i) a \$75,000 PRB; (ii) co-signed by three FRP’s; (iii) home detention with GPS monitoring; (iv) surrender of travel documents; (v) travel restricted to the Southern and Eastern Districts of New York; (vi) pretrial supervision as directed by Pretrial Services; (vii) Mr. Eusebio is not to go to the area of the offense; (viii) Mr. Eusebio must seek and maintain employment; and (ix) mental health counseling as directed by Pretrial Services. Since his release Mr. Eusebio has complied with all conditions of his bail and has been in constant contact with counsel and Pretrial Services.

This application seeks the permanent modification of Mr. Eusebio’s above-stated bail conditions, from home detention with GPS monitoring, to curfew enforced by GPS monitoring, with specific hours at the discretion of Pretrial Services. We request the less restrictive conditions and increased flexibility to accommodate the scheduling demands of Mr. Eusebio’s irregular work hours; physical therapy sessions; doctor’s visits; and vol-

unteer work. In the event that the Court grants this request, all other bail conditions will remain unchanged.

Based upon my communications with Pretrial Services Officer Jonathan Lettieri, and A.U.S.A. Andrew Jones, Pretrial Services has no objection to this request, while the government defers to Pretrial Services.

Therefore, for the reasons stated herein, we respectfully request that the Court grant this application modifying Mr. Eusebio's bail conditions.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Richard J. Ma

Richard J. Ma, Esq.


cc: A.U.S.A. Andrew Jones (via email)  
P.T.S. Officer Jonathan Lettieri (via email)

Application granted. The conditions of Mr. Eusebio's pre-trial release are modified as follows: Mr. Eusebio's condition requiring home detention with GPS monitoring is replaced with a condition requiring a home curfew enforced by GPS monitoring, with specific hours to be established at the discretion of Pretrial Services. All other conditions of the defendant's pre-trial release remain in full force and effect.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 225.

SO ORDERED.

Dated: September 29, 2023  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge